

IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

FILED  
U.S. DISTRICT COURT  
SAVANNAH DIV.

2020 FEB 13 PM 12:01

EDDIE PRINCE ROBINSON, III, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
JOSEPH MOYSE, M.D., and JOHN )  
DOES 1-99, )  
 )  
Defendants. )  
 )  
\_\_\_\_\_ )

CLERK   
SO. DIST. OF GA.

CASE NO. CV416-179

O R D E R

In this action, Plaintiff Eddie Prince Robinson, III filed claims pursuant to 42 U.S.C. § 1983. (Doc. 1.) Plaintiff alleges Defendants violated his right to be free from unnecessary pain and suffering and to be provided with constitutionally adequate medical care while he was incarcerated at the Chatham County Detention Center in 2014. (Id. at 2.)

Pursuant to Southern District of Georgia Local Rule 41.1, this Court may sua sponte, or upon motion of any party, dismiss any action for want of prosecution, with or without prejudice for "willful disobedience or neglect of any order of the Court" or for "any other failure to prosecute a civil action with reasonable promptness." S.D. Ga. L.R. 41.1.

By order dated March 27, 2019, this Court denied Plaintiff's Motion for Reconsideration (Doc. 30) and ordered Plaintiff to perfect service on Defendant Dr. Moyse within 60 days of the date of the order, by May 26, 2019. (Doc. 67.) Of the original defendants, Defendants Wilcher, Corizon Health, and Dr. Carl Faulks have all been dismissed by stipulation. (Docs. 70, 74.) The remaining defendants are Dr. Joseph Moyse and John Does 1-99. However, the docket does not reflect that Plaintiff has perfected service upon Defendant Moyse. Moreover, the parties, including Defendant Moyse, filed a status report on February 4, 2019 in which the parties proposed a scheduling order. (Doc. 62.) Magistrate Judge Graham issued the scheduling order on February 5, 2019 and set the deadline for filing a joint status report for September 26, 2019 and the deadline for filing civil motions for January 27, 2020. (Doc. 63.) The parties failed to file a status report by the deadline and the deadline for filing civil motions has expired with no party having filed a motion. There has been no activity in the case since July 2019, when the parties dismissed by stipulation Defendants Corizon Health and Faulks.

Based on this case history, the Court finds that Plaintiff has failed to prosecute this action with

reasonable promptness by failing to meet filing deadlines and has failed to perfect service on Defendant Moyse as ordered by the Court. Accordingly, the remaining Defendants, Defendant Moyse and Defendants John Does 1-99, are **DISMISSED WITHOUT PREJUDICE** for want of prosecution. As a result, this case is **DISMISSED WITHOUT PREJUDICE** and the Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 13<sup>th</sup> day of February 2020.



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WILLIAM T. MOORE, JR.  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA